

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

**ERIC KENNEDY**

**PLAINTIFF**

**VS.**

**CIVIL ACTION 4:04cv75 TSL-JCS**

**SHERIFF BILLY SOLLIE, et al.**

**RESPONDENTS**

**JUDGMENT**

This matter having come on to be heard on this date upon the report and recommendation of United States Magistrate Judge James C. Sumner entered in this cause on August 3, 2007, and the court, having adopted said report and recommendation as the finding of this court by order dated this day, finds that this cause should be dismissed with prejudice as frivolous, and that this dismissal is counted as a “strike”.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the above captioned cause be, and the same is hereby, dismissed with prejudice.

IT IS FURTHER ORDERED that the dismissal of this action is counted as a “strike”.

SO ORDERED this the 31st day of August, 2007.

/S/ TOM S. LEE  
UNITED STATES DISTRICT JUDGE